

**C**HARLES by the Grace of **G O D**,  
King of great Britaine, *France and Ireland*,  
defender of the Faith to Our Louites,  
Lyon King at Armes, and his Brethren  
Heraulds, Messingers, Our Sherriffes in  
that part conjunctlie and seuerallie spe-  
ciallie constitute greeting, for so meekle  
as Wee hauing now after good Aduice  
and Deliberation pronounced and giuen  
foorth Our Royall Ddcreete, Sentence,  
and Determination in the matters refer-  
red and submitted vnto Vs by the Gene-  
rall Submissions made by the Archbishops and Bishops, Lords of E-  
rections, Patrons of Kirkes and Benefices, Titulars of Teinds, and He-  
ritours of the Landes Out of which Teindes are payed, and by Our  
Borrowes and others Our Subjects, particularlie exprest in the saides  
Submissions, as in the foure seuerall Decretes following, pronounced  
by Vs in these matters at length is contained. And Wee finding it ne-  
cessar and expedient for the good of Our Subjects, that Publication &  
Intimation should bee made of our saides Decretes, to the intent that  
our Subjects beeing acquainted with the Tennour and substance of the  
same, they may bee the better prepared and resolved, to obtemper and  
obey the same. Wee therefore recommended to the Lords of our Pri-  
uie Counsell, the Publication of our saids Decretes, which Decretes  
beeing exhibite vnto our said Counsell, and read in their audience vp-  
on the eighteenth day of *September* instant, and they in all dueitfull obe-  
dience acquiescing to our Royall direction anent the Publication of our  
saids Decretes: Therefore they haue ordained and ordaines the saides  
Decretes to be published at the Mercat Crosses of the head Borrowes of  
this our Kingdome, and hath ordained these our Letters to bee direct  
for that effect, as an Act made therevpon beares.



**V**R Will is heerefore, and Wee charge you strait-  
lie and commands that incontinent these our Let-  
ters seene you passe to the Mercat Crosse of Our  
Burgh of Edinburgh, and to the remanent Mercat  
Crosses of the head Borrowes of this Our Kingdome,  
and there by open Proclamation, in Our Name & Au-  
thorie make Publication and Intimation of Our  
saids Decretes to all and sundrie Our Lieges and Subjects, wherethrow  
none pretend ignorance of the same: As You will answer to Vs therevpon.  
The which to doe, Wee committe to you conjunctlie and seuerallie  
Our full power by these our Letters, deliuering the same by you, due-  
lie excute and indorsed againe to the Bearer: Giuen vnder our Signet  
at *Holst-Rude-House* the eighteenth day of *September*, and of Our Reigne  
the fifth yeare, 1629.

*Per actum Secreti Consilij.*

*Here followeth the tennour of the Decretes.*

A

*HIS MAJESTIES DETERMI-  
nation vpon the first generall Submissions.*



HARLES by the Grace of GOD King of great Britaine *France* and *Ireland*, defender of the Faith. To all and sundrie Our Subjects whom it effeirs. For so meekle as by the generall Submissions made to vs, by all and sundrie persons, hauing or pertending right, to whatsomeuer erections and temporalities of Benefices, Superiorities and few dueties of the samine; Or to the Kirkes and Teinds great and small Personages and Vicarages: Or to Patronages of Kirkes pertaining to erections; or to any Teinds, which they or any of them haue of other mens Lands by whatsomeuer right or title: And als by the Heritours and possessours of Lands lying within the saides Kirkes and Benefices erected; for themselves and in name of all others who were desirous to haue the right and title of the Teindes of their owne Lands, at a competent rate and pryce; conforme to our gracious Proclamations made to that effect; The saids persons subscribers of the saids generall Submissions did submitte themselves to Vs; And are bound to stand and abide at our determination and Decreete, anent what composition & satisfaction shall be made & giuen by Vs to them or any of them; for the few mails, few Fermes & other constant Rent of the Superiorities of whatsomeuer Lands, *Baronies, Mylnes, woods, Fishings, Towers, Forestalices*, maner places and their pertinents, pertaining to whatsomeuer erections and temporalities of Benefices, of whatsomeuer title, name or designation the samine be, resigned and surrendered by them in Our hands: And als did frellie & absolutelie submitte to Vs all and sundrie Teinds, that they or anie of them haue of other mens Lands by whatsomeuer right or title they possesse and inioye the samine: And howe they may bee denuded thereof in Our fauours, *Omni habili modo quo de jure*: And als submitted to Vs, to appoint the rate and quantitie of the saids Teinds and what price shall bee giuen to them for the samine, and what securities should bee made thereanent, they alwayes beeing libe- rate of the burden of the Ministers Stipends *Pro rata*, as in the saids generall Submissions, containing diuerse others heades and Articles, and bearing

bearing full power to Vs, to pronounce Our determination in the premissis, and also prorogate the time of the giving forth of Our said determination betwixt and the first day of *August* then next to come, and nowe by gone to whatsoever day or dayes thereafter, at more length is contained: And Wee hauing called vp to Vs a number of our Nobilitie, Priuie Counsell and others able expert and well affected, to giue their aduice to Vs, in a matter of so great importance in the Moneths *April* and *May*, 1628. yeeres with whom Wee had diuerse meetings and conferences; and heard and considered the reasons and arguments of all parties hauing entresse with their opinions and judgements thereanent. And in respect of the consequens of the businesse, Wee tooke the samine to our farther consideration, and in the meane time prorogate our determination to bee giuen vpon the saids Sub-commissions till the last day of *December*, 1629: yeares, betwixt and the which time, Wee declared that Wee would giue forth Our Royall determination in the matters submitted to Vs by the saids generall Submissions: And now Wee beeing well and ryplie aduised therein and tendering the well and plantation of the Kirkes with the peace and quietnesse of that Our antient Kingdome: Pronounce our sentence and determination as followes: In the first as to the composition to bee giuen by Vs, for the few mailles, few Fermes and other constant Rent of the saide Superiorities, Wee finde and decerne the sounge of one thousand markes Scots money to bee a competent and reasonable satisfaction to bee payed for each Chalder of few Fermes, Victuall ouer-head, and for each hundred markes money of few mails, and for each hundred markes worth of all other constant Rent of the saids Superiorities ( not consisting in Victuall or Money; and not beeing naked seruice of Vassels ) The samine beeing valued and redacted in moneys by our Commissioners after specified; deducing alwayes off the saids few Fermes, few Mails, and other constant Rent foresaid: The blenche dueties contained in the Infeudments of erections made to the saids Submitters, or their authors: For the which, Wee finde, that Wee ought nor should giue no satisfaction, in respect the samine pertaines to Vs, as our proper Rent by their saides Infeudmentes of erections. And because it is not constant what is the true Rentall, and quantitie of the saides few Fermes, few Mails, and other constant Rent of the saids Superiorities, and what part thereof pertaines to euerie particular person; and what is free, deducing the saids blanch dueties, without the which were tryed and knowne, there can bee no payment made to them of the said composition and satisfaction. Therefore Wee ordaine the saides Lords of erection and all others hauing right to any parte of the saids few Fermes few Mails, and other constant Rent foresaid of the saids Superiorities, to giue in the just Rentall of the saides few Fermes, few Mails, and other constant Rent of the saids Superiorities, and what part thereof pertaines to euery particular person heritable in life-rent, or otherwise; and what parts thereof is presently

payed, or hath beene payed to them, or anie other, hauing or pretending right thereto, of the yeares preceeding the decease of our vniuersall dearest Father of eternall memorie, and sensyne; and what is free thereof; deducing the saides blench duties before Our Commissioners nominat or to be nominat by Vs to that effect, at such dayes and times as they shall bee required thereto: And to subscribe the saides Rentalls with their hands. and therein to be bound to warrand the saids Rentals to bee the just Rentals thereof, from their owne deede; and that the same hath beene payed these seuen yeares immediatlie bygone at the least payable by lawfull sewes sette before the Act of annexation: And that the same is not burdened with no pension, nor life-rent, nor other right, flowing from them, their authours or predecessours, since the date of their erections, which may prejudice Our present Intromission therewith: Which being done, and the saids Rentals tryed, allowed and approuen by Our saides Commissioners Decernes and ordaines Our Thesaurer, Thesaurer Deputie, and receiuers of our Rents present and to come, to make good and thankfull payment to them, and euery one of them, according to the saids Rentals, to be tryed by Our saides Commissioners of the said sounes of an thousand markes for each Chalder of few Fermes, and for each hundreth markes of few Mails, and for each hundreth markes worth of all other constant Rent foresaid of the saids Superiorities, being valued and redacted in moneys by Our saides Commissioners, deducing the saids blanch duties as said is, and that within the space of a month thereafter: with this speciall prouision and declaration; that in case our said Thesaurer principall, Thesaurer Deputie and receiuers failie in payment, that then & in that case, the saids Lords of erection and others persons foresaides hauing right to the saides few Fermes, few Mails, and other constant Rent foresaid of the saides Superiorities, shall haue good right to medle and intromet with the saides few Fermes, few Mails, and other constant Rent foresaid, of all yeares and tearmes thereafter, aye and while the saids sounes be really payed and satisfied to them, and als with this prouision, that if it shall happen any of the saides Lords of erection, or any others hauing or pretending right to the saides few Fermes, few Mails, and other constant Rent foresaid, to failie in compearing before the saides Lords Commissioners, and giuing vp of the true rentals thereof in manner aboue designed, at the dyets and times to bee assigned to them, that then and in that case it shall bee lawfull to Vs and our Thesaurers and receiuers, to intromet with the saids few Fermes, few Mails, and other constant Rent of the saides Superiorities, they alwayes being acted and bound before Our saides Commissioners appointed, or to bee appointed by Vs to pay to the Person, swa failie and the said pryce and composition of an thousand markes money for each Chalder or hundreth markes of the saids few Fermes few Mails, and other constant Rent foresaid: And that within the space of an month after they shall giue vp an just and true rental in



tall in manner and with warrantie about-exprest, and that the same shall bee tryed and found by Our saids Commissioners to bee iust and lawfull, and als with this prouision, that if the sayliers shall purge themselves by lawfull and reasonable causes before Our saides Commissioners of their not vp-giuing of their Rentals: That then & in that case, Our saides Commissioners shall haue power to appoint to them, whose saylie shall bee so purged, Annuelrent at tenne of the hundredth from the time of Our Thesaurers entrie to their saides few Mailes; to the time of the payment of the said composition, which is appointed to be made at the vp-giuing of their saids rentals in maner foresaid. And because in trying of the rentals of the saides few Fermes, few Mailes, and other constant rent foresaid, there may occur question betwixt two or more persons & parties claiming right to the saids few Fermes, few Mailes, & other constant rent foresaid, in whole or in part, by Infeiments pensions, list-rents, or other right standing in their person; in the which case, justice and equitie craueth, that each person shall receive an portion of the said satisfaction, according to the qualitie of their right, whither the same bee list-rent fee, pension, anwelrent; or other right whatsoever. Therefore Wee ordaine Our saides Commissioners, to take tryall of the said seuerall rights, and accordinglie, to appoint the saides sommes ordained to bee payed by Our saides Thesaurers and receivers for composition and satisfaction as said is, to bee payed or diuided amongst them, according to the qualitie of their rights. And Wee will, and declare, that the difference or dispute to be made amongst the saids parties, hauing or pretending rights to the saides few Fermes, few Mailes, and other constant rent foresaid, after the true rentall thereof bee once tryed as said is, shall bee no hinderance nor impediment, to Our said Thesaurer, and Thesaurer Depute, to medle and intromet with the saids few Fermes, few Mailes, & other constant rent of the said Superiorities: They alwayes paying or consigning the said sommes decerned by Vs, as said is: In presence of the saids Commissioners to be soorth comming to all the saids parties who pretends interesse therero, according as Our saids Commissioners shall appoint. And further, Wee declare that Our entrie to the saides few Fermes, few Mailes, and other constant rent foresaid of the saides Superiorities, shall bee and begin at the feast and tearme of Witsonday or Mettrimes next and immediatelie following the payment or consignment to bee made by Our Thesaurer principall or Depute in Our Name, to each person vp-giuer of his rentall, of the sommes of money due to be payed, conforme to this Our Decreete and determination. And at the Tearme next and immediatelie following the saylie, to bee committed by thesowho shall not giue vp their rentall in manner foresaid. Our said Thesaurer and Thesaurer Depute beeing alwayes acted for payment to them, after they shall giue vp their rentals in manner foresaid. And als declares if any of the saids few Fermes, few Mailes, and other constant rent foresaid bee payable at other Tearmes nor the saids ordinar

Tearmes of Witsonday and Mertimise, that our entrie shall bee ruled and diuided according to the respect of the saides ordinar Tearmes of Witsonday and Mertimes in manner aboue exprest, swa that if payment or consignation shall bee made by Vs at Witsonday, then the whole yeare and Crop shall bee due to Vs, and if the famine shall happen to bee at Mertimes, then the halfe alanerlie shall bee due to Vs, and the like course to bee obserued, where the failie shall bee committed in not vp-giuing of the rentals in manner before exprest. Next wher eas the saides persons Submitters hath submitted to Vs all and sundrie the Teinds, that they or any of them haue of other mens Lands; by whatsomeuet right or tide they possesse or enjoye the famine, and how they may bee deuuded thereof in Our fauours; and als hath submitted to Vs the rate and quantitie of Teinds, pryce of the famine, and manner of securitie to bee made thereanent. Wee finde that it is necessar and expedient, for the publicke well and peace of this our auncient Kingdome; and for the better prouiding of Kirks & Ministers Stipends, and for the establisshing of Schooles, and other pious vses, that each heritour haue and enjoye his owne Teinds: And therefore to the effect full and perfect securitie may be made to euery heritour of his owne Teinds. Wee decerne and ordaine the saids Submitters and euery one of them and their hiers to denude themselues of the right of other mens Teinds in Our fauours by all lawfull maner, as may stand by the Lawes of Our Kingdome, and that of the Crop, 1629 yeares, and yearly there after in all time comming, And to that effect, Wee decerne the saides Submitters and their foresaids, to exhibite their rights, infestments, tacks and other securities whatsomeuer whereby they brooke the saids Teinds of other mens Lands to Our Aduocat, or Clerkes of our saides Commissions at such dyets and times as they shall bee required, to the effect, hee vpon the sight thereof may forme such lawfull and valid securities in our fauours as may stand by Law: Which securities, We decerne the saides Submitters to subscribe, prouyding they bee no further oblisht in warrandice thereof, but from their owne deedes, and from the factes and deedes of their predecessours, to whom they are heires. Excepting therefra such factes and deedes as is made and perfected by any of the Submitters and their foresaids, in fauours of the present possessours Tackel-men, and others hauing right from them of the famine Teindes. Wherevpon they, and euery one of them, shall bee oblisht to condescend at the time of the exhibition of their rights to Our said Aduocat or to the Clerkes of Our saides Commissions, And as to the rate and quantitie of Teinds, Wee ratifie and approue the course and order taken by Our speciall command and direction for valuation of the whole Teinds of the Kingdome, so farre as shall be iustlie and lawfullie done according to the Tennour of our Commissions, and ordaines the Commissioners and Subcommissioners already appointed or to bee appointed to that effect, to expedie the famine withall

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conuenient diligence, and findes and declares that the rate and quantitie of all Teindes of the Kingdome is and shall bee the fift part of the constant rent, which each Land payeth in Stocke and Teind, where the samine are valued ioyntly. And where the Teindes are valued a. part and seuerallie findeth that the rate and quantitie thereof is and shall bee such as the samine shall bee valued and esteemed to, by the saides Commissioners or Subcommissioners. Deducing alwayes the fift part thereof; which Wee out of Our Fatherly and Royall care for the well of Our said Kingdome, ordaine to be deduced, of the saids teinds seuerallie valued as said is, for the ease and comfort of our Subjectes, Reseruing alwayes libertie to such as shall be enormously hurt and-grieved in the valuations foresaids, either conjunctlie or seuerallie made, to appeale to Vs or to Our Parliament, to the effect Wee may take such order therein, as may rectifie all abuses and disorders committed or to bee committed in the saides valuations. And as to the pryce of Teindes, Wee finde the pryce of each hundreth markes of teind consisting in money, to bee valued and esteemed to nine yeares purchase, and where the saids Teinds consists in victuall, or others bodies is of goods: Because there is great difference of the qualitie of victuall, and of the other bodies of Teindes, both in spaces and kindes, and in worth, and goodnesse, according to the diuerse places in the Countrie where the samine groweth and are bred, Therefore Wee decerne and ordaine tryall to be taken by our Commissioners appointed or to be appointed by Vs, of the pryce worth and estimation of each Chalder of victuall, and of all other bodies of goods, wherein the Teindes consisteth in kindes and goodnesse, as the samine commonlie ruleth in each part of the Countrie: And this beeing tryed, and condiscended vpon, and the pryces thereof beeing redacted in moneys. Wee finde the just and reasonable pryce thereof to bee esteemed to nine yeares purchase: And Wee declare this nine yeares purchase to bee the just pryce of the heritable right of Teinds, where the seller hath the heritable right thereof, but where his rights is not heritable, but temporall, and consisteth in Leases and Tackes, or some other temporall right, whereof there are many or few yeares to rinne. Wee declare the pryce in this case to bee ruled proportionally, according to the number of the Tackes and qualittie of the rights, And because many heritours of Lands, hath tackes long or short of their owne Teindes, or some other right thereof, standing in their person, in the which case, it is not reasonable, that the heritours should pay the full pryce to the persons, hauing right to their teinds. Therefore Wee referre this point also to our Commissioners appointed or bee appointed, to determine and set downe the proportion of the pryce, according to the yeares of the Tackes to rinne, and qualitie of rights standing in the person of the saids heritours, and according to the qualitie of the rights standing in the person of these who hath title to the saids Teindes after the out-running of the heritours tackes and

rights of the famine. It is alwayes declared that the saids heritours who shall buy their owne teindes, shall bee oblisht to pay for no more of the famine: But such as shall rest by and attour the Ministers Stipends, and others pious vses, which by the tennour of the generall Commission are ordained to bee first prouided: And als that these who shall not buy their owne teindes, and are to bee subject in payment of the rate of their Teind aboute specified, shall bee no further oblisht in payment thereof to the saids titulars, but with deduction of such part and portion therof, as is or shalbe prouided to the maintenance of the saids Ministers, and others pious vses foresaids exprest in the said generall Commission. Which Wee will and Ordaine to be deduced, according to the tennour of the said Commission, and actes thereof, made or to made therein, or in any other Commission to bee appointed heereafter by Vs in fauours of the Ministers, and others pious vses therein mentioned. And declares the saides Titulars to bee free and liberat of the Ministers Stipends *pro rata*: And decernes the saids heritours to freeth and releaue the saids Titulars at the hands of the Ministers, and others hauing right of that part of their saids teinds, which shall bee assigned and appointed to bee payed to the saids Ministers, and to the other pious vses foresaids: And als to releaue the saids Titulars at Our hands, anent the payment of Our anunitie: And to make yearly payment of the foresaids burdings, for releife of the saids titulars *pro rata*. And such like Wee decerne, where Wee or any other haue right to teinds, after inspection of their Euidents, and due consideration of their rights by Our selues, or by such Commissioners as Wee shall appoint, that accordingly in regard of the rights that Wee or they shall bee found to haue, and for making vp of a perfect right to the heritours, such a part or pryce or payable rent shall bee ordained to bee payed and applyed to Our or their vse. And because Wee haue a speciall and particular entresse in the Teinds of erected Benefices, and that Reason, Iustice and Conscience craueth, that a part of the pryce therof, or where pryce is not payed, a part of the yearely duetie should bee applyed to Our vse. And because all erections are not of one nature and kind, but some of them deserueth more consideration and respect nor others, according to the true causes merits and seruices, for the which the famine were granted. Therefore Wee remit the tryall heereof to Our saids Commissioners: To determine what proportion of pryce or rent shall bee defeased and allowed to Vs of the saids Teinds of erection, according to the validitie and merit of each persons rights, after the production of the famine to Our Aduocat: And because by ane expresse clause in the saids Submissions: It is specially declared by Vs: That Wee wold take to our Princely consideration, the lawfull Tacks and rights of teinds of erected Benefices, and of all laicke Patronages made and set to the present possessours or their authours, by lawfull Abbots, laicke Patrons, and others Titulars of Benefices lawfullie set before the dats of the saids erections;



erections: And for the spaces and yeares of the saids Tackes, rights and Patronages as yet to rinne: To the effect that they might haue full and plenarie satisfaction for the saids tackes, rights and patronages, according as Wee should find the validitie thereof, as is vsuall in the like cases: With the burden alwayes of Our annuitie mentioned in the saids generall securities and submissions: And to the effect, Wee might bee informed of their saids tackes and rights, before the giuing forth of Our determination in the premisiss. It was, and is ordained, and prouyded, that such of the saids Lords of erections and other persons foresaids, as haue such tackes or rights made and set vnto them, their predeceffours and authours before the saids erections, should exhibite and produce the same to Our Aduocat at such dyets and times, as should bee appointed by Vs or Our Chancellour at Our command and direction, before the giuing forth of Our determinations, in the Premisiss: Like as also it is speciallie prouyded, That the said generall Submissions should no wayes bee prejudiciall to whatsomeuer action of warrandice competent to the saids persons Submitters or any of them, against their authours from whom they cost or acquired their rights of the saids Teinds (which falleth within the compasse of the saids Submissions) For sournes of money: But that either the saids actions of warrandice shall bee reserved vnto them, conforme to the tennour of their rights made to them therevpon: Or otherwise, That the satisfaction to bee decerned, in their fauours shall bee answerable to their warrandice, and no wayes inferiour thereto: The saids persons, and swa many of them who haue their actions of warrandice reserved to them in maner foresaid: Exhibiting & producing their saids rights, bearing the warrandice foresaid: To our Aduocat at such dyets and times as should be appointed and prescribed to them by Vs or Our Chancellour at Our command and direction, before the giuing forth of Our determination in the Premisiss; As in the saids generall submissions at more length is contained. And for so meekle, as Wee according to the prouisions contained in the saids Submissions by Our Letter of the date the last of *Junij* 1628. Gaue speciall warrand to Our Commissioners for production of the foresaids Tackes, Leasses and others foresaids: Who by their act and ordinance, of the date the eight of *August*: And by publicke Proclamation past therevpon; Ordained that all the saids persons hauing entresse, should compeare before them vpon the first of *November* 1628 yeares: Bringing and producing with them all their Leasses and Tackes of other mens Teindes sette to them or their authours before their erections, together withall their rights and securities of the foresaids Teinds, bearing absolute warrandice, or warrandice of their owne moneys in case of euiction: To the effect, the same might bee seene and considered by Our Aduocat, with certification to them that faillies, that they should not bee heard to claime any satisfaction for the same thereafter: And that some few alenerlie of the saids persons hauing entresse, hath given in their tackes and rights,

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bearing warrandice as said is: Swa that by rigour of Law, Wee might giue out Our determination, without respect of the saids rights, not produced to Our said Aduocat conforme to the prouision contained in the saids Submissions. Yet Wee out of Our Royall Clemencie and goodnesse, Decerne and ordaine full and plenarie satisfaction to bee made, not onelie to these who hath alreadie produced, and whose productions are extant in the Register of the said generall Commission: But also to all other persons, submitters, who hath lawfull Tackes sette to them, their predecessours or authors of the saids teinds, of erected Benefices, which falleth within the compasse of the saides Submissions, for the rights of the saids Teinds; during the spaces contained in the saids Tacks, and that without any defalcation or diminution of the price thereof, in respect of Our particular right and entresse: But according to the full auaille of the yeares to rinne contained in the saids Tacks, they alwayes exhibiting and producing to Our Aduocat for the time, or Clerkes of Our Commissions foresaids, Their saids Leasses and Tacks betwixt this and the last day of *May* next to come and no otherwayes; And because after production thereof, euerie person will not haue alike yeares and spaces to rinne in their saids Tacks. Therefore Wee referre to our saids Commissioners, to sette downe the just worth and valuation of the saids tacks sette before the saids erections, According to the number and spaces of yeares of the samine, which is yet to runne: And to modifie the said pryce to each person accordinglie: And such like, Wee decerne and ordaine that the saids persons, Submitters, nor none of them shall bee any wayes prejudged by their saids Submissions of their actions of warrandice competent to them against their authours from whom they coft or acquired their rights of the saids Teinds, which falleth within the compasse of the saids Submissions: But declares their saids actions of warrandice to bee free and reserved to them, allowing alwayes in the first end thereof, so much as they are to receiue by vertue of this Our determination, in the first end of their said warrandice: And if any of them shall happen to bee prejudged by, or through occasion of their subscriuing of the saids Submissions, of their said action of warrandice, and to bee debarred therefra in whole or in part by occasion thereof. In that case Wee decerne that whatsomeuer by Law they might obtaine against their saids authours by their action of warrandice, for warranting of their rights of the said Teinds, which falleth within the compasse of the saids generall Submissions: And for the which they are or shall bee debarred by and through the saids Submissions, And this Our determination following therevpon: That the samine shall bee refounded to them by Our said Thesaurer principall, Thesaurer Depute, and receiuers foresaides: They alwayes exhibiting and producing to Our said Aduocat, or Clerkes of Our Commissions foresaids, their saids rights bearing warrandice in manner foresaid, betwixt and the last day of *May* nex to come, and none other wayes. And Wee finde and declare that this generall course and order, That euerie heritour shall brooke  
and

and possesse his owne Teinds, shall haue beginning in this instant yeare of GOD 1629 yeares: The saids heritours heeing alwayes readie to fulfill and performe their part of this Our determination, And to the effect, that the saides Titulars may receiue full and compleate satisfaction of the price of the saids Teinds, so farre as is due to them by this Our determination, from the said heritours, who shall buy their Teinds as said is, Or where they shall not buy: That the saids Titulars may bee secured in the yearlie rate and quantitie of the saids teinds, to be payed to them of the said Crop, 1629. yeares, and yearelie thereafter Wee referre the consideration of the Termes of payment of the saids pryces: And also of the Termes of payment of the said payable tent of the said Crop 1629, and yearelie thereafter, together with the maner and forme of securitie to bee giuen thereanent by the saids heritours, to the saids Titulars vnto our saids Commissioners: To whom Wee giue full power to sette downe such ample securities as may stand by Law, both for Our securitie, and for securitie of the saids Titulars in the Premissie Which forme of securitie to be ordained by them. Wee decerne the saids heritours to obserue and fulfill in all pointes, after the forme and tennour thereof. Like as also Wee referre to the consideration of Our saids Commissioners, what manner of securitie shall bee made by Vs, to euerie heritour of the teindes of his owne Lands, To the effect they may brooke the saime heritable and perpetuallie for euer. according to the meaning of this, Our determination. And Wee decerne the saids whole persons submitters their heires and successours, to obtemper fulfill and obey this Our determination in the whole heeds and Articles thereof, They receiuing lawfull and perfect securities conforme to the tennour of Our Commission and whole heedes thereof, particularlie and generallie mentioned in the saids generall Submissions: And also receiuing reall payment of that which Wee haue ordained by this Our determination, before they denude themselves, either of right or possession of the saides fewe Mails, and Tithes: And that in manner particularlie exprest in this Our determination as is aboue specified: And finallie Wee ordaine this Our determination with the whole Submissions wherevpon the samine proceeds, to be registrate in the books of Counsell and Session, To haue the strength and force of a Decreete of the Lords thereof, with execution to passe therevpon, in forme as effectres: And the Horning to passe vpon a simple charge of ten dayes allanerlie, and to that effect makes and constitutes.

Our Aduocat our Procuratour, To compeare for Vs, and consent to the registrating heereof, in manner foresaid. In witnesse whereof We haue signed these presents with our Hand at *windsore*, the second day of *September*, the yeare of GOD 1629 yeares, before these witnesses, *William Erle of Menteith*, President of our Counsell, and high Iustice of Scotland: *Sir William Alexander of Menstrie*, Knight, Our Secretarie, *Sir Coline Campbell of Lunzie*, Knight, Baronet, *Sir James Lockhart* younger of *Ley*, Knight, and *M. William Elphinstoun* one of our Cup-bearers.



**H**ARLES by the Grace of GOD,  
King of great *Britaine, France and  
Ireland*, Defender of the Faith: To  
all and sundrie Our Subjects whom  
it effeires. For so meekle, as Wee  
being fullie resolved to haue an vni-  
uersall Order established within that  
Our Kingdome of *Scotland*: Anent  
the matter of Teind, And that every  
heritour shall haue and brooke his  
owne teinds of whatsomeuer nature  
the saids teinds be of, and to what-  
someuer benefice the same pertaineth,  
at a competent rate and  
pryce: And vnderstanding that di-

uerse of Our Subiectes had differed to subscribe the first generall Submissions anent the saides teinds, vpon pretence that the Archbishops, Bishops, Persons, Vicars, and others of the Clergie had not subscribed the saides generall Submissions: Which impediment was thereafter removed by a seuerall Submission, subscribed by the saids Bishops and Clergie to Vs. Therefore Wee by Our Letter and warrand directed to the Commissioners for teinds, of the date, the 28 day of *October* last by past, did signifie Our Will and Pleasure: That all titulars of teinds pertaining to whatsomeuer Kirkes or Benefice, and als all heritours of Lands, the teinds whereof pertaineth to the saids Benefices and Kirkes, should subscribe a generall submission vnto Vs: Referring to Vs the prices, rate and quantitie of whatsomeuer teinds of other mens Lands. Which Letter beeing read and considered by the saids Commissioners of teinds, they by their act of the date, the third day of *December* last by past: Did in all humilitie acknowledge Our gracious and Fatherlie care for the good of Our said auncient Kingdome, and allowed and approued the said Letter, and interponed their authoritie thereto. Conforme to the which there was certaine Submissions drawne vp: Whereby all persons, subscribers of the saides Submissions, hauing or pretending right, by whatsomeuer title, tackes or other manner of right to whatsomeuer teinds of other mens Lands pertaining to whatsomeuer Bishopricke, Abbacie, Pryorie, Personage, Vicarage, Colledge, Kirks, Prebendarie Chaplannie, or other Benefice whatsomeuer. And such like, the heritours and possessours of whatsomeuer Lands lying within the saids Benefices, and who are desirous to haue the teinds of their owne Lands pertaining to the saids Benefices at a competent rate and pryce submitted, and by the tennour of the saids Submissions, did submitte vnto Vs all and sundrie teindes that they or any of them had of other mens Landes, by whatsomeuer right or title they possessed, and enjoyed the same, and  
how



how they might be dnued thereof, *Omni libili modo quo de jure*. And als did submitte vnto Vs, to appoint the quantitie & rate of teinds, and what pryce shall bee giuen for the famine, and what securitie shall bee made of the teinds of other mens Lands, to the heritours and possessors thereof, in such forme as might stand by Law, and were content, and consented that Wee should giue out our pleasure and determination anent the premissis referred to vs in manner foresaid, betwixt the day and date of the saies Submissions, and the last day of *December 1629* yeares: As the saids submissions subscribed by the particular persons, titulars and heritours of the seuerall daires thereof in themselues more fullie proports. And Wee beeing well and ryplie aduised anent the premissis: And finding it necessar and expedient for the publicke weale and peace of that Our auncient Kingdome: And for the better providing of Kirkes and Ministers Stipends, and for establishing of Schools and others pious vles. That each heritour haue and enjoye his owne teinds: And therefore to the effect, full and perfect securitie may bee made to euerie heritour of his owne teinds: Wee decerne and ordaine the saids Submitters and euerie one of them, and their heires, to desnude themselues of the right of other mens teinds by all lawfull manner as may stand by the lawes of Our Kingdome, and that of the crop 1629 yeares, and yearelie therafter in all time comming, and to mak and subscribe good valide and lawfull securities to each heritour of his owne teinds by the sight of our Aduocat present, and beeing for the time prouyding, they bee no further oblisht in warrandice thereof but from their owne deeds, and from the facts and deeds of their predecessors to whom they are heires: Excepting therefra such facts and deedes as is made and perfected by any of the Submitters and their foresaids, In fauours of the present possessours, tackes-men, and others liuing right from them of the famine teinds: And as to the rate and quantitie of teinds, Wee ratifie and approue the course and order taken by Our speciall command and direction, for valuation of the whole teindes of the Kingdome, so farre as shall bee iustlie and lawfullie done according to the tennour of the Commissions: And ordaines the Commissioners and Subcommissioners already appointed, or to bee apponted for that effect, to exped the famine with all conuenient diligence; And finds and declares that the rate and quantitie of all teinds of the Kingdome, is and shall bee the fift part of the constant rent which each Lands payeth in stocke and teind, where the famine are valued joyntlie. And where the teindes are valued aparte and seuerallie: Findeth that the rate and quantitie thereof is and shall bee such as the famine shall bee valued and esteemed, to be the saids Commissioners or Subcommissioners, Deducing alwayes the fift part thereof, which Wee out of our Royall and Fatherlie care, for the well of our said Kingdome. Ordaine to bee deduced off the saids teinds seuerallie valued as said is, for the ease and comfort of our Subjects, Reseruing alwayes the libertie to such as shall be

enormlie hurt and griened in the valuations foresaids, either conjunſlie or ſeuerallie. To appeale to Vs or to our Parliament: To the effect wee may take ſuch order therein, as may rectifie all abuſes and diſorders, committed or to be committed in the ſaids valuations. And as to the price of teindes, Wee finde the price of each hundreth merkes of teinds conſiſting in money, to bee valued and eſtimat to nine yeares purchaſe. And where the ſaids teinds conſiſts in victuall, or other bodies of goods, Becauſe there is great difference of the qualitie of victuall, and of the other bodies of teinds both in ſpaces and kinds, and in worth and goodneſſe, according to the diuerſe places in the Countrie, where the ſamine growes and are bred. Therefore Wee decerne and ordaine tryall to bee taken by Our Commiſſioners, appointed or to bee appointed by Vs of the pryce, worth, and eſtimation of each Chalder of victuall, and of all other bodies of goods, wherein the teindes conſiſts in kinds and goodneſſe as the ſamine commonlie ruleth in each parte of the Countrie. And this beeing tryed and condeſcended vpon, and the prices thereof beeing redacted to moneys, Wee finde the juſt and reaſonable pryce thereof, to bee eſtimat to nine yeares purchaſe. And Wee declare this nine yeares purchaſe to bee the juſt pryce of the heritable right of teinds, where the ſeller hath the heritable right thereof, but where his right is not heritable but temporall, and conſiſtes in Leaſſes and tackes, or ſome other temporall right, whereof there are many or few yeares to run, We declare the pryce in this caſe to be ruled proportionallie according to the number of the tackes and qualitie of the rights, And becauſe manie heritours of Lands hath tackes long or ſhort of their owne teinds, or ſome other right thereof ſtanding in their perſon. In the which caſe it is not reaſonable that the heritours ſhould pay the full price to the perſons, hauing right to their teindes. Therefore Wee referre this point alſo to Our Commiſſioners appointed or to bee appointed: To determine and ſette downe the proportion of the pryce of teindes, according to the yeares of the tackes to runne, and qualitie of the rights, ſtanding in the perſon of the ſaides heritours. And according to the qualitie of the rights ſtanding in the perſon of theſe who hath title to the ſaids teinds, after the out-running of the heritours tackes and rights of the ſamine. It is alwayes declared that the ſaids heritours who ſhall buy their owne teind, ſhall be obliſht to pay for no more of the ſamine, but ſuch as ſhall reſt by and attour the Miniſters Stipend and others pious uſes, which by the tennour of the genrall Commiſſion, are ordained to be firſt prouyded. And alſ that theſe who ſhall not buy their owne teinds, and are to bee ſubject in payment of the rate of their teindes aboue ſpecified, ſhall bee no further obliſht in payment thereof to the ſaids titulars, but with deduction of ſuch part and portion thereof as is reſting by and attour the ſaids Miniſters Stipends and pious uſes foreſaid. And ſuch like Wee decerne where Wee or any of the ſaids titulars haue right to the teinds of other mens Lands, after inſpection of their

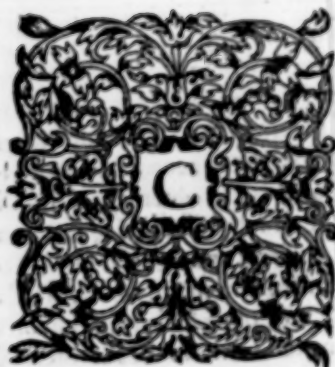
their rights and due consideration thereof by Our Commissioners appointed or to be appointed for that effect, That accordingly in regard of the rights which Wee or they shall be found to have such a part of the pryce and payable rent, shall be ordained to be payed and applyed to Our or their vies. And Wee finde and declare that this generall course and order, That every heritour shall brooke and possesse his owne teinds, shall have beginning in this instant Crop and yeare of GOD 1629 yeares: The saids heritours beeing alwayes readie to fulfill and performe their part of this our determination. And to the effect that the saids titulars may receive full and compleate satisfaction of the pryce of the saides teinds, so farre as is due to them by this Our determination, fra the saids heritours who shall buy their teinds as said is: Or where they shall not buy, that the saides Titulars may be secured, in the yearelie rate and quantitie of the saids teinds to be payed to them of the said Crop 1629. And yearelie thereafter Wee referre the consideration of the termes of payment of the saids pryces, and als of the termes of payment of the said payable rent of the said Crop, 1629 yeares and yearely thereafter, Together with the manner and forme of securitie to bee given thereanent by the saides heritours to the saides Titulars vnto our saids Commissioners appointed or to be appointed. To whom Wee giue full power to set downe such ample securities as may stand by Law, both for our securitie, and for securitie of the saids Titulars in the premittis: VVhich forme of securitie to bee ordained by them. Wee decerne the saids heritours to obserue and fulfill in all points, after the forme and tannour thereof. And Wee decerne the saids whole persons, Submitters, their heires and successours, To obtemper, fulfill, and obey this Our determination in the whole heeds and articles thereof. They receiuing lawfull and perfect securities, conforme to the tennour of Our Commission, and whole heeds thereof particularly and generally mentioned in the saids generall Submissions. And als receiuing reall payment of that which VVe have ordained by this Our determination, before they denude themselves, either of right or possession of the saides teinds; And that in manner particuarlie exprest in this our determination, abouespecified. And finallie, VVee ordaine this our determination with the whole Submissions wherevpon the same proceedeth: To be registrat in the Bookes of Our Counsell and Seission: To haue the strength and force of a Decreete of the Lords thereof, with execution to passe therevpon, in forme as esseires. And the horuing to passe vpon a simple charge of ten dayes allanerlie. And to that effect makes and constitutes.

Our Aduocat Our Procuratour, To compeare for Vs, and consent to the registering heereof in manner foresaid. In witnesse whereof Wee signed these Presents with Our hand at *windsore* the second day of September the yeare of God 1629 yeares. Before these VVitnesse, *william* Earle of *Menteith*, President of Our Counsell and high Iustice of Scotland,

land, Sir William Alexander of Menstrie Knight, Our Secretarie: Sir Colline Campbell of Lundie, Knight Baronet: Sir James Lockhart younger, of Ley Knight: Master William Elphinstown one of Our Cup bearers, and Master John Maxwell, Minister at Edinburgh,



*HIS MAJESTIES DE-  
termination upon the Submission made  
by the Bishops.*



**C**HARLES by the Grace of G<sup>O</sup>D, King of great Britaine, France, and Ireland, defender of the Faith. To all and sundrie Our Subjects whom it esseires: For so meekle as the Archbishops, Bishops, and remanent Clergie within Our Kingdome of Scotland, subscribers of the Band and Submission after specified. Considering that Wee, out of Our Royall care, Fatherlie and tender affection to the publicke good of all Our Subjectes of that Our Kingdome, For freeing them from the extremitie and damage which may insue to them by leading of their teinds, did intend to take such course as heereafter every heritour may possesse and enjoye the Teinds of his owne Lands for payment of a reasonable rate and duetie for the samine: And the said Archbishops, Bishops, and Clergie foresaids, acknowledging themselues to bee bound in duetie to aduance that Our Royall Designe: And beeing willing that all such heritours, as are subject to the payment of anyteinds to them, or any of them, shall haue their owne teinds beeing desirous thereof for payment to them and their successours of such a reasonable rate and constant yearelie rent, as Wee should determine to bee the quota and rate of teinds, within the rest of Our said Kingdome: So as the dueties and rate in Siluer and Bolls payed at the present to them, or to the Ministers, seruing at their particular Kirks, be not in any sort hurt nor diminished: And also considering the great benefiso, which the said course intended by Vs, may import to their successours, who  
are



are thereby to haue a certaine and constant yearelie rent, which may not bee altered by any Titulars to the prejudice of their successours. Therefore the saids Archbishops, Bishops, and remanent Clergie foresaid, by their Band and Submission subscribed with their hand of the date at

The yeare of GOD, 1628 yeares: Hath bound and obliscit them and their successours, To grant to euery Heritour of the seuerall Lands whereof the teinds doe appertaine to them or any of them (beeing desirous of the samine) Such sufficient securitie thereof as may stand with the Lawes of the said Kingdome: And for such a reasonable rate and rent or rentall Bolls, as Wee shall determine to bee the quota and rate of teinds: Submitting themselues thereanent, to Our Royall Decree and Sentence to bee pronounced at or before the last day of *December* in the yeare of GOD 1629 yeares. And anent what lawfull securitie in manner foresaid, shall bee made or giuen by them, or any of them to the saids heritours of their owne teinds belonging to their Bishopricks or Benefices, For payment to bee made by the saids heritours to them & their successours, of the said quota and rate or constant rent, and rentall to bee set downe by Vs, for the saids teinds out of the saids Lands subject to the payment thereof yearely in such manner, and at such tearmes as Wee shall bee pleased to appoint. And anent the making setting downe, and establishing of the said quota or rate of the saids Teinds, rent, or rentall Bolls payable yearelie for the samine to them and their successours. And anent what securitie the saides heritours shall make for the sure true timous and thankfull payment to them and their successours of the said yearelie rent and rentall Bolls, at such times and tearmes of payment, as Wee shall thinke fitte to bee contained in the securities of the saides teinds: And anent the annuities hereafter, payable by the saides heritours, for increase of Our rents, prouyding that they and euery one of them peaceablie enjoye the fruites and rentes of their seuerall benefices, as they were possessed by them at the time of the said Submission, and that such rents as should thereafter belong and accrese to them, or any of them, and their successours by Our said Decree, Anent the said quota to bee payed by the saids heritours for the remanent of the saids teinds which were not in their present possession, should bee secured and made sure to them, and their successours, leauing the saides heritours of the Lands, out of which the teindes are due to them, to submitte themselues vnto Our Decree and determination. Anent the annuities, and other premissis which concernes them, to bee pronounced before the last day of *December* 1629 yeares, With power to Vs, to giue forth Our Sentence Plesure and Determination anent the premissis betwixt the date hereof and the said last day of *December* 1629 yeares. As in the said Band and Submission, of the date foresaid at more length is contained. And Wee hauing at great length considered and aduised what is most fitte to bee done in the Premissis Submitted to Vs, both for the well

of the saides Bishoppes and their Successours, And for establishing of a constant victuall Rent to them, after the expyryng of the present Tackes, wherewith the same are burdened: And for better plantation of the Kirkes pertaining to them. And als for the peace and quietnesse of our said Kingdome: That no person haue the leading of any other mans teinds, but the heritours of the Lands allanerly. Pronounceth Our sentence and determination therein, as followeth. In the first Wee finde the quota or rate of all teinds pertaining to the saids Bishopricks and other Benefices foresaids, which falleth within the compassse of the saide Submission, To bee the fift parte of that which each Land payeth of constant rent of Stoke and teind where the same are joyntlie valued, conforme to the course and order taken, or to be taken for the valuation of the same. And where the teinds are valued severallie and apart: Findeth that the rate and quantitie thereof is and shall bee such as the same shall bee valued to by Our Commissioners appointed, or to bee appointed to that effect: Deducing alwayes the fift part thereof, to make the same equall to constant rent *communibus annis*. And findes and declares, that if in the valuation of the saides teinds either joyntlie to bee made with the Landes or severallie, there bee anie sensible hurt, grievance, and prejudice committed in excesse or diminution, which shall require to bee rectified by Vs: That it shall bee lawfull to the parties grieved, to appeale to Vs, or to Our Parliament, to the effect Wee may see order put thereto as elseires: And decernes & ordains the saids Submitters and their successours, to grant to every heritour of the severall Lands wherof the teinds appertaineth to the saids Submitters, or any of them ( beeing desirous of the same ) and to their heires and successours, heritours of the saides Landes: Such sufficient securitie thereof as may stand with the Lawes of Our saide Kingdome, for payment of the said rate and rent, determined by Vs, as laid is: And that of the Crop and yeare of GOD 1629 yeares, and yearelie thereafter the saids heritours alwayes, who shall desire to haue the right of their saids teinds in manner foresaid, their heires and successours, making and subscriuing such lawfull securities to the saides Submitters and their successours for payment of the said quota and rate yearelie betwixt Zule and Candilmesse after the Crop with deduction alwayes of Our annuitie soorth of the excesse of the Bols and rent arising to the saids Submitters and their successours, after the expyryng of the present tackes in manner after specified. And that in such lawfull and perfect manner as may stand by the Lawes of Our Kingdome, and shalbe devised by our Aduocat: To whom Wee referre both the manner of right and securitie to bee made by the saids Submitters to the saids heritours of the saids teinds: And als of the securitie to bee made by the saids heritours to the saids Submitters and their successours, for sure payment of the rent and ducie above specified, together with Our annuitie due to Vs, for increase of Our rent, to bee payed by the saids heritours  
and

and their successours, to Vs and Our Successours, for such part of the said rent & Bols as shall accresse to the saids Submitters by the valuations foresaid, after the expyryng of the present tacks of the teinds of their saids Lands pertaining to their saids Bishopricks and Benefices: Which annuitie shall bee allowed and defeased to the saides heritours off the first end of the said rent, which shall accresse to the saids Submitters & their successours as said is, but prejudice alwayes to the saids Submitters & their successours, and to the Ministers provided to the severall Kirkes vnder them: To brooke and possesse the fruites and rents of their severall benefices, whereof payment was made to them the time of the making of the said Submission, and that without all burden of Our said annuitie, And Wee finde and declare, that it shall not bee lawfull to the saides Submitters and their successours, to bee pronyded to the saides Bishopricks and Benefices, to sette any tacks long or short, or to make any other disposition of the saids teinds pertaining to the saides Bishopricks and Benefices, after the expyryng of the present tacks thereof; But allanerly for payment of the said rate, rent, & quora now determined by Vs: Which shall remaine whole inteire and unhurt in quantitie or qualitie, and so transmitted to the successours for ever without anie change, alteration, diminution, conversion in money or other prejudice whatsomever. Reserving to Vs Our annuitie of that which shall accresse after the expyryng of the present tacks in manner foresaid. And Wee ordaine this Our determination with the said Submission wherevpon the samine proceeds, To bee registrate in the Bookes of our Counsell and Session, to haue the strength and force of a Decreete of the Lords thereof, with execution to passe therevpon in forme as effectres. And the horning to passe vpon a simple charge of ten dayes allanerlie: And to that effect make and constitutes.

Our Aduocat Our Præcuratour, To compeare for Vs, and consent to the registering heereof in manner foresaid. In witnesse whereof Wee haue signed these Presents with our Hand at *windsore*, the second day of *September*, the yeare of God, 1639 yeares, Before these Witnesses, *William Earle of Menteith*, President of Our Counsell, and high Justice of *Scotland*, *Sir William Alexander of Menstrie*, Knight, Our Secretarie: *Sir Coline Campbell of Lundie*, Knight, Baronet: *Sir James Lockhart of Ley*, Knight, and Master *William Elphinstoun*, one of Our Cup bearers.



*HIS MAJESTIES DE-  
termination upon the Submission made  
by the Borrowes.*



HARLES by the Grace of GOD,  
King of great Britaine, France and  
Ireland, Defender of the Faith, To  
all and sundrie Our Subjects whom  
it esteemes: For so meekle as the  
Commissioners of the free Royall  
Borrowes within Our Kingdome of  
Scotland, Having full power and com-  
mission from their severall Burghes:  
Considering that Wee out of Our  
Royall care, Fatherlie and tender af-  
fection, to the publick good of all Our  
Subjects of Our native and ancient  
Kingdome of Scotland, for freeing  
them from the extremitie and do-

mage may ensue to them, by leading of their teinds: Intended to take  
such course as thereafter each man might possesse and enjoye the  
teind of the Lands pertaining to him in proprietie. And they acknow-  
ledging themselves to bee bound in duety, to the advancement of all  
Our Royall designs, tending to so publicke a good: Therefore, they  
by their Band and Submission of the date at Perth the second day of  
July, the yeare of God 1628 yeares: Bound and obligt them, and each  
of them subscribers of the said Submission and their successours, for and  
in name of the saides Burghes, To grant unto each heritor of the seve-  
rall Lands whereof the teinds did to them appertaine ( after the expy-  
ring of the present tackes already granted by them to the present tacke-  
men ) Such rights and securities for perpetuall enjoying of their owne  
teinds, and for payment of such rates, and teind rentall Bols of victuall  
as Wee in Our Royall Iudgement should decerne: Submitting them-  
selves each one for their owne partes thereanent, to Our Royall De-  
creete and Sentence, and what should bee the true rate estimation and  
quantitie of the said teind, and what securitie should bee made to them  
by the saids heritours for yearelie payment to bee made to them, each

one



one for their owne parts of the saids teind Bolls of victuall of such sorts as shall grow vpon the same Landes yearelie: As shall bee decerned by Vs betwixt Zule and Candlemes. For payment whereof the samine lands shall be lyable and bound in securitie of the samine. And were content and consented each one for their owne part, that Wee should giue foorth Our pleasure and determination anent the Premissis referred to Vs in manner foresaid, betwixt the date of the said Submission and the last day of *December* in the yeare of God 1629 yeares, As in their saides Submissions of the date foresaid containing diuerse others prouisions at mote length is contained: And Wee beeing well and rply aduised anent the Premissis, & finding it necessar and expedient for the publick weale and peace of that Our auncient Kingdome: That each heritour haue and enjoye his owne teinds: Pronounceth our sentence and determination therein as followeth. In the first Wee decerne and ordaine the saids Borrowes Royall, Prouest, Bailyeis and Counsell of the same, & their successours, whose Commissioners hath subscribed the said Submission: To grant vnto each heritour of the fenerall Lands whereof the teinds doe appertaine to them, their heirs and successours (after the expyryng of the present tackes, already granted by them to the present takersmen) Such rights and securities for perpetuall enjoying of their own teind for payment of the rates and rentall bolls after mentioned in such ample forme as may stand by the Lawes of the Kingdome. The saids heritours alwayes & their foresaids, making and subscribing to the saids Royall Borrowes and their successours, such lawfull securities for payment of the quota and rate of teinds after specified yearelie betwixt Zule and Candlemese, for payment whereof the samine Lands shalbe lyable and bound in securitie of the samine, And that in such forme and manner as shalbe deuised by the sight of Our Aduocat for the time, to whom Wee refer the manner and forme of the securities is to be made by the saids Royall borrowes to the saids heritours of their owne teinds, And by the saids heritours, to the saids royall borrowes, of the rate and quota of teind after specified, And as to the rate and quantitie of teinds, We find the quota or rate of all teinds pertaining to the saids royall Borrowes, to be the fift part of that which each Land payeth of constant rent in stoke and teind, where the samine are joyntly valued, conforme to the course and order taken or to bee taken for the valuation of the samine: And where the teinds are valued severallie and apart, findeth that the rate & quantitie thereof is and shall bee such as the samine shall bee valued to. By Our Commissioners appointed or to bee appointed to that effect, Deducing alwayes the fift part thereof to make the samine equal to constant rent *Communibus annis*. And finds and declares, that if in the valutions of the saids Teinds either joyntlie to be made with the Lands or severallie, there bee any sensible hurt, grievance, and prejudice committed in excessse or diminution which shall require to bee rectified by Vs, that it shall bee lawfull to the parties grieved to appeale to Vs or to our Parliament. To the effect Wee may see order put thereto as esseires. And decernes this course and order, that every heritour shall haue his owne Teinds, to have the beginning in the Crop and yeare of God, 1629 yeares: The tackes

sette to the present tackes-men, beeing expyred or otherwayes lawfullie established in the person of the heritour by the said tackes-men who hath the right thereto. Attour for so meekle as by the said Band and Submission, The foresaids Commissioners each one of them for their own parts hath bound and oblisht their saids Borrowes and their successours, That in case it shall bee found that the rents of the Teinds great and small vicuall or siluer dueties of the samine, doted for the sustentation of the Ministers, Rector, and Regents of their Colledges, Masters of their Schooles and Poore of the Hospirall of their seuerall Burghes payed to them, shall exceede the yearelie soumes of money expended by them for the foresaid pious vses, & their interteniment in the Stipends of the saids Ministers, Rector and Regents of their Colledges, Masters of their Schooles, and of their Poore in their saids Hospitals, Then and in that case, To pay yearelie to Vs and Our Collectors, each one of them for their owne parts foorth of the superplus and excesse of the saids dueties remaining by and attour the payment of the saids Stipends due to the saids Ministers, Rector, and Regents of their seuerall Colledges, Masters of their Schooles, and interteniment of their Poore in their Hospitals Our annuitie due to Vs in maner exprest in the said Submission. Therefore Wee ordaine Our Commissioners appointed or bee appointed by Vs, To take tryall of the true effare of the rents and Tithes pertaining to each Burgh, and of the burden which they haue for interteanement of their Ministrie, and Poore, and of the Rector, and Regents of Colledges where the samine are. And to consider if there bee anie superplus and excesse by and attour the burdens foresaids, Foorth of the which our said annuitie ought to bee payed, And according thereto, Decernes the saides Borrowes and their successours, to make payment to Vs and our Collectors of Our annuitie which is due to Vs foorth of the saides superplus and excesse if any shall bee found as said is. And Wee ordaine this Our determination with the said Submission wherevpon the samine proceeds, to be registrate in the Books of Our Counsell and Session, To haue the strength and force of a Decreete of the Lords thereof, with execution to passe therevpon, in forme as effeires: And the Horning to passe vpon a simple charge of ten dayes allanerlie, and to that effect makes and constitutes.

Our Aduocat our Procuratour, To compeare for Vs, and consent to the registrating heereof, in manner foresaid. In witnesse whereof Wee haue signed these presents with our Hand at *Windsore*, the second day of *September*, the yeare of GOD 1679 yeares, before these wimesses, *William Erle of Menteith*, President of our Counsell, and high Iustice of Scotland: *Sir William Alexander of Menstrie*, Knight, Our Secretarie, *Sir Coline Campbell of Lundie*, Knight, Baronet, *Sir James Lockhart younger of Ley*, Knight, and *M<sup>r</sup>. William Elphinstoun*, one of our Cup-bearers, and *M<sup>r</sup>. John Maxwell* Minister at *Edinburgh*.

FINIS.

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